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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	2:98-cr-00035-HDM-RJJ
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
BRET ALLEN HUDSON,)	
)	
Defendant.)	
_____)	

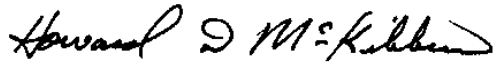
Before the court is the defendant's second request to waive the \$3,500 fine and \$585 in restitution imposed at his sentencing on September 14, 1998 (#152).

Absent a petition by the government, the court lacks jurisdiction to remit a fine imposed as part of a criminal sentence. See 18 U.S.C. § 3573; *United States v. Gonzalez*, 248 F.3d 1128 (1st Cir. 2000) (unpublished disposition); *United States v. Linker*, 920 F.2d 1, 1-2 (7th Cir. 1990); *United States v. Benally*, 2009 WL 1286014, at *1-2 (D. Ariz. 2009). The court also lacks authority to waive the mandatory restitution imposed in this case under the Mandatory Victims Restitution Act. See 18 U.S.C. §

1 3663A; *United States v. Roper*, 462 F.3d 336, 337-40 (4th Cir.
2 2006); *United States v. Ammons*, 2011 WL 1060601, at *1 (W.D.N.C.
3 2011). Accordingly, the defendant's motion (#152) is **DENIED**.

4 **IT IS SO ORDERED.**

5 DATED: This 17th day of May, 2012.

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8 UNITED STATES DISTRICT JUDGE
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